



Freshfields Bruckhaus Deringer US LLP

Via ECF

DAVID LIVSHIZ

601 Lexington Avenue
31st Floor
New York, NY 10022
Tel +1 212 284 4979
Fax +1 646 521 5779
david.livshiz@freshfields.com

September 28, 2018

Ms. Ada Means
Clerk to Magistrate Judge Jacqueline Scott Corley
United States District Court
Northern District of California
San Francisco Courthouse, Courtroom F – 15th Floor
450 Golden Gate Avenue
San Francisco, CA 94102

Re: In re Ex Parte Application of Palantir Technologies, Inc. (18-mc-80132-JSC)

Dear Ms. Means:

We represent Applicant Palantir Technologies, Inc. (**Applicant**) in the above-referenced matter. We write in regards to Applicant's Reply to Marc L. Abramowitz's Opposition to Applicant's Ex Parte Application for an Order Pursuant to 28 U.S.C. § 1782 to Obtain Discovery for Use in a Foreign Proceeding, dated September 21, 2018 (ECF No. 24) (the **Reply Brief**).

On Wednesday, September 26, we became aware of formatting issues as a result of which a portion of the brief was not double spaced and contained non-standard character spacing, and therefore did not comply with the spacing requirements of Local Rule 3-4(c). As a result of this inadvertent error, the Reply Brief was shortened by approximately fourteen lines. We became aware of this error after receiving a question from opposing counsel on Tuesday, September 25, concerning the font-size used in the Reply Brief. While we confirmed that each line of the brief, including footnotes, complied with the font size requirements of Local Rule 3-4(c), in the process of conducting our line-by-line review, we detected the spacing errors, which were inadvertent.

We apologize for this inadvertent oversight, and respectfully ask this Court to permit the Applicant to re-submit the version of the reply brief attached as Exhibit A (which we provide together with a redline to the originally filed Reply Brief, attached as Exhibit B), which corrects the formatting issue and is fully compliant with the fifteen page requirement of Local Rule 7-4(b), and the formatting requirement of Local Rule 3-4(c). This Court has previously granted similar relief. See MacDonald v. Ford Motor Co., No. 13-cv-02988-JST, 2016 WL 3055643, at *11 n.2 (N.D. Cal. May 31, 2016) (requiring litigant to refile a brief that complied with all local rule requirements, notwithstanding litigant's initial submission of a reply brief that exceeded the page limits by 11 pages, and subsequently filed an amended brief that failed to comply with the line spacing requirements); Tamburri v. Suntrust Mortg., Inc., No. 11-cv-02899-JST, 2013 U.S. Dist. LEXIS 105944, at *2, 8 (N.D. Cal. July 28, 2013) (ordering plaintiff to resubmit briefs compliant with Local Rules after plaintiff submitted briefs that did not comply with the Local Rules).



Freshfields Bruckhaus Deringer US LLP

2/2

Once again, we apologize for this inadvertant oversight.

Respectfully,

/s/ David Livshiz

David Livshiz